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Attorneys for Complainant

**BEFORE THE
PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

TODD DAVID WARD, P.T.
894 Loggers Circle
Rochester, Michigan 48307

Physical Therapist License No. PT 29006

Respondent.

Case No. 1D 2004 63820

OAH No.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
above-entitled proceedings that the following matters are true:

PARTIES

1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical
Therapy Board of California. He brought this action solely in his official capacity and is represented
in this matter by Bill Lockyer, Attorney General of the State of California, by Daniel J. Turner,
Deputy Attorney General.

2. Todd David Ward, P.T. (Respondent) represents himself in this matter.

3. On or about December 11, 2003, the Physical Therapy Board of California
issued Physical Therapist License No. PT 29006 to Todd David Ward, P.T. (Respondent). The

1 License was in full force and effect at all times relevant to the charges brought in Accusation
2 No. 1D 2004 63820 and will expire on June 30, 2005, unless renewed.

3 JURISDICTION

4 4. Accusation No. 1D 2004 63820 was filed before the Physical Therapy Board
5 of California (Board), Department of Consumer Affairs, and is currently pending against
6 Respondent. The Accusation and all other statutorily required documents were properly served on
7 Respondent on May 12, 2005. Respondent timely filed his Notice of Defense contesting the
8 Accusation. A copy of Accusation No. 1D 2004 63820 is attached as Exhibit A and incorporated
9 herein by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read and understands the charges and allegations in
12 Accusation No. 1D 2004 63820. Respondent has also carefully read and understands the effects of
13 this Stipulated Settlement and Disciplinary Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the right
15 to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel
16 at his own expense; the right to confront and cross-examine the witnesses against him; the right to
17 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
18 the attendance of witnesses and the production of documents; the right to reconsideration and court
19 review of an adverse decision; and all other rights accorded by the California Administrative
20 Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each
22 and every right set forth above.

23 CULPABILITY

24 8. Respondent admits the truth of each and every charge and allegation in
25 Accusation No. 1D 2004 63820.

26 9. Respondent agrees that his Physical Therapist License is subject to discipline
27 and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary
28 Order below.

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1 violating Business and Professions Code sections 2660, subdivisions (b) [Fraud in Procuring
2 License] and (l) [Dishonest Act] as set forth in Accusation No. 1D 2004 63820 (*see* Exhibit A).

3 IT IS FURTHER ORDERED that within 30 days from the effective date of this
4 decision Respondent shall reimburse the Physical Therapy Board the amount of One Thousand
5 Seven Hundred and Thirty Seven Dollars (\$1,737.00) for the costs of the investigation and
6 prosecution of the above-entitled matter.

7 Failure by Respondent to reimburse the Board for these costs shall constitute a violation of
8 the Board's Order and Respondent shall be subject to the provisions of Business and Professions
9 Code section 2661.5 or any related statutes or regulations, unless the Board agrees in writing to
10 payment by a revised payment plan because of financial hardship. The payment of these costs by
11 Respondent is not tolled by his practice or residency outside of California.

12 The filing of bankruptcy by Respondent shall not relieve Respondent of his
13 responsibility to reimburse the board for its investigation and prosecution costs.

14 If Respondent fails to pay the full amount of the cost recovery within the time limits
15 set forth above, Complainant may seek relief pursuant to section 2661.5 of the Code or any related
16 statutes or regulations.

17 IT IS ALSO ORDERED that Respondent's physical therapist license may not be
18 renewed unless he is current and in compliance with his payments of the investigation and
19 prosecution costs as set forth above in this Order.

20 ACCEPTANCE

21 I have carefully read the above Stipulated Settlement and Disciplinary Order. I
22 understand the stipulation and the effect it will have on my Physical Therapist License. I enter into
23 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
24 to be bound by the Decision and Order of the Physical Therapy Board of California.

25 DATED: June 28th, 2005.

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27 Original Signed By:
28 TODD DAVID WARD, P.T.
Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Physical Therapy Board of California of the Department of Consumer Affairs.

DATED: June 28th, 2005.

BILL LOCKYER, Attorney General
of the State of California

Original Signed By:
DANIEL J. TURNER
Deputy Attorney General

Attorneys for Complainant

Exhibit A
Accusation No. 1D 2002 62936

**BEFORE THE
PHYSICAL THERAPY BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation
Against:

TODD DAVID WARD

Case #: 1D 2004 63820

OAH No.:

The foregoing Proposed Decision, in case number 1D , is hereby adopted by the
Physical Therapy Board, Department of Consumer Affairs, State of California.

This decision shall become effective on the 6th day of September, 2005.

It is so ordered this August 5, 2005 .

Original Signed By:
Donald A. Chu, P.T., President
Physical Therapy Board
of California